

CHARLES ROSS	§	
v.	§	CIVIL ACTION NO. 6:09cv268
GUY SMITH, ET AL.	§	

The Plaintiff Charles Ross, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. §1983 complaining of alleged violations of his constitutional rights. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Ross complains of deliberate indifference to his serious medical needs through the denial of dentures. The Defendants Dr. David Langston and Guy Smith have been ordered to answer the lawsuit and have filed a motion for summary judgment. On February 3, 2011, the Magistrate Judge issued a Report recommending that this motion be granted and that Dr. Langston and Guy Smith be dismissed from the lawsuit. The Magistrate Judge further recommended that Ross' motion for summary judgment be denied.

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The Court has reviewed the pleadings and summary judgment evidence in the cause as well as the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 51) is ADOPTED as the opinion of the District Court. It is further

ORDERED that the motion for summary judgment of the Defendants Dr. David Langston and Guy Smith (docket no. 38) is GRANTED. The Plaintiff's claims against the Defendants Dr. David Langston and Guy Smith are hereby DISMISSED with prejudice, and these persons are dismissed as parties to this lawsuit. The dismissal of these claims and defendants shall have no effect upon the Plaintiff's claims against Dr. Owen Murray and Dr. Jerry Toole. Finally, it is

ORDERED that the Plaintiff's motion for summary judgment (docket no. 37) is hereby DENIED.

**SIGNED this 4th day of March, 2011.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE